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IN THE UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

HCL PARTNERS LIMITED PARTNERSHIP, On behalf of Itself and all others similarly situated, Plaintiff, -v- LEAP WIRELESS INTERNATIONAL, INC., S. DOUGLAS HUTCHESON, DEAN M. LUVISA, AMIN I. KHALIFA and PRICEWATERHOUSECOOPERS, LLP, Defendants.	Case No.: 07-cv-2245-BTM-NLS **CLASS ACTION** **MOVANTS' NOTICE OF SUPPLEMENTAL AUTHORITY** DATE: August 15, 2008 TIME: 11:00 a.m JUDGE: Hon. Barry Ted Moskowitz CTRM: 15 (5th Floor)
FRANK CHAREK, Individually and on behalf of all others similarly situated, Plaintiff, -v- LEAP WIRELESS INTERNATIONAL, INC., S. DOUGLAS HUTCHESON, MARK H. RACHESKY, AMIN I. KHALIFA, GLENN UMETSU, and DEAN M. LUVISA, Defendants.	Case No.: 07-cv-2256-BTM-NLS

[Caption continued on next page]

DEVAY CAMPBELL, Individually and on behalf of all others similarly situated, Plaintiff, -v- LEAP WIRELESS INTERNATIONAL, INC., S. DOUGLAS HUTCHESON, MARK H. RACHESKY, AMIN I. KHALIFA, GLENN UMETSU, and DEAN M. LUVISA, Defendants.	Case No.: 07-cv-2297-BTM-NLS

Class members Westchester Capital Management, Inc. and Green & Smith Investment Management L.L.C., by and through their undersigned counsel, respectfully submit the recent decision of District Judge William H. Pauley III in *Burch v. SLM Corp., et al.*, 08 Civ. 1029 (WHP)(S.D.N.Y. July 23, 2008) as supplemental authority in further support of their motion for reconsideration of this Court's May 22, 2008 Order Granting Motions to Consolidate, Appointing New Jersey Carpenters Pension and Benefit Fund as Lead Plaintiff, and Approving Lead Counsel Selection.

The decision, attached as Exhibit A, was issued subsequent to the filing of plaintiffs' motion for reconsideration. In it, Judge Pauley appoints Westchester Capital, the advisor to The Merger Fund and the Merger Fund VL, as Lead Plaintiff on a factual record that is substantially similar to the record in this action.

DATED: July 29, 2008

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